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THE PROBLEM OF CAUSATION OF CRIMINALITY.¹

WILLIAM HEALY.

Whatever theories one may hold about the general causes of criminalism or whatever the measures that may be undertaken to combat deteriorating economic or environmental conditions, alcoholism, or the inheritance of defect, it must not be forgotten that it will always remain for the courts to deal with the individual as such and, if he is convicted of crime, for other public officials to administer subsequent treatment to him as a human individual. It follows, then, that whatever methods of study will aid toward understanding what is best to be done for given offenders will prove to be the essence of a practical, applied criminology. The crux of the problem may be stated as not what "the criminal" in general is, but rather what has brought about this given individual offender's career. To this concrete knowledge there is no royal road. Superficial classification will avail little. The causes of the failures of our present methods, so clearly evinced by the statistics of recidivism, might well be discovered by deeper studies, such as are undertaken by other departments of governmental affairs. The fact is that scientific methods so productive of betterment in other fields have hardly invaded here. What value there is in more thorough-going studies can be shown by representative case histories.

The most important classes to recognize in any criminal procedure are the feeble-minded, the epileptic and the insane. It is hardly necessary to cite actual cases in this paper. The numerical findings are more striking. As the result of our own intensive studies, we have come to agree with those who maintain that a large percentage of recidivists are mentally defective. More significant than this bare statement is the fact that the mental defect very frequently cannot be ascertained by a rough and ready court room procedure nor by mere physical appearance. We find that some of these individuals have been before the police dozens of times, and courts, despite the fact of their recidivism, have no cognizance of their disabilities. On the other hand, their offenses show them to be a constant and sometimes terrible menace to society. Of the repeated offenders whom we have studied at length, now some seven hun-

¹The substance of an address given by invitation at the annual meeting of the American Prison Association, Omaha, October, 1911.

dred and fifty cases, about 25 per cent are below normal mentally. To be sure, not quite all of them are feeble-minded of the usual institutional type, but yet they all have mental defects sufficient to impair seriously the quality of their citizenship.

The epileptic with criminal tendencies is one of the most dangerous of all offenders. This at present incurable disease often brings with it mental and moral deterioration that leaves on the hands of society a most incalculable human phenomenon. Case after case that we know illustrates the danger of such an individual being at large. A sudden whim, a most inadequate reason, leads him to the commission of some brutal offense against society. And not only because his disease deteriorates his mental and moral fibre, but also because he fails of success anywhere, in school or at work, and consequently falls in with the dregs of society and into the worst of habits, he stands many chances of becoming definitely criminal. We ourselves have been astonished to find that about 7 per cent of the repeated offenders we have studied are certainly of the epileptic class and we have reason to suspect others. With regard to percentages of these and of the feeble-minded we would at once aver that our number is too small to have any great statistical value and it might be that proportions would vary somewhat if proper studies were conducted elsewhere and with greater numbers. Then it must be confessed that on account of there being no colony for epileptics in Illinois perhaps the victims of that disease are more troublesome here than elsewhere.

There are other types presenting in reconstructive possibilities much greater human interest. In illustration let us consider a fellow who was brought in the last time as a young desperado. The arresting policeman remarked: "I'll tell you, doctor, that fellow will kill some officer some day." The boy's knitted brows and slouchy manner made all appearances against him. His resistance, and his several other offenses, running away from home and stealing, might readily be considered sufficient to condemn him to a short term or to the reformatory. But what was there back of these superficial findings? Professionally one found no trouble in getting at his family and personal history. Everything in the former seemed to be negative except that the father was a hard drinker. Other children have turned out all right. His developmental history was normal until he was six years old. Then his skull was fractured and he was long laid up on account of it. As he grew he developed nervous conditions, never extreme, but always present. Most marked has been his irritability and his capacity to suffer from slight causes of annoyance. Never any specially bad habits. To quote

CAUSATION OF CRIMINALITY

his mother: "He is nervous and acts so funny and gets so crazy and can't bear to have a sound in the house. He studies much; he gets books from the library. He delivers papers in the morning. He is very truthful." It appeared also that he was early a truant and that teachers have found fault on account of his irritability and bad temper. A certain amount of teasing in the home has been a great source of annoyance to him.

In accord with our usual experience we found this boy most approachable when one undertook rational inquiry into his trouble. His own story was substantially that told by his family. He says they make him nervous and interfere with his reading. If there is a noise in the house he can't sleep. He feels as if he could not stand it at home. If the cars go by when he is reading it hurts his head, or if the fire engine goes by he gets excited. "It will get all up in my head like that. Sure, I don't want to leave my mother, but I want to live in a quiet place. Perhaps if we could move out in the country I could live with her."

His general development is distinctly poor for his age. There is an extensive scar from the old fracture of the skull. Defective vision has led to the constant overstrain of his eyes. There are several evidences of general nervousness and he has headaches which might be caused by his poor vision. He entered with pleasure into our psychological tests and we found that he had fair ability. Despite his handicaps he had got to the fifth grade at 14 years. Observed in the Detention Home he was found to be a great reader, in fact he could hardly be got to his meals when a volume of American history was in his hands.

In short, here was a mentally normal, but backward and excessively nervous lad suffering from eye-strain and the results of an old injury, expressing his irritability at his unsuitable environment in such ways that it brings upon him the ban of the law. Can there be any doubt what this boy will become if he continues to be treated with no understanding of his special needs? I, for one, think the officer's statement quite likely to be true. If he is jerked about and repressed and embittered by mere punishment, likely enough he will kill somebody some day. The welfare of society is at stake in providing this boy with proper glasses and with a quiet environment where he can continue to be studious and industrious without irritation.

But without a time consuming study how could all this be known? The police officer would not know it, the judge has no time to ascertain it, and, in fact, without the proper rational and scientific, but nevertheless sympathetic inquiry it never could have been found out. Certain it

is that because of the lack of such studies just such boys are being shoved along the path leading to confirmed criminalism.

Take another type—the case of a young man who has an exceedingly long record of delinquency. He was troublesome when he was ten years old. He is fond of bad associates, both boys and girls. Has frequently stolen and engaged in burglary. Drinks and smokes excessively. Has beaten up smaller lads. He has been arrested time and again. We have seen him on a number of occasions and have had ample chances to get acquainted with him. In fact, he has come voluntarily to us, regarding himself as a difficult problem. He is a very fluent talker and has, what is not at all necessarily correlated with that fact, one of our best records in various mental tests and is proud of the fact. As an example of his mental interest and powers of memory, he gave us, the first time we saw him, a good synopsis of Shakespeare's *Tempest*. At that time, although thoroughly delinquent, he showed no hardened spirit, but later on has become indifferent. The most notable things found in our study were the boy's lack of judgment, particularly as expressed in behavior, and the fact that he has a tremendously weak will. He has long realized that control of himself seems well-nigh impossible. He has been in a number of institutions and when not allowed too much liberty has always done well. Physically his condition is splendid except for some nearsightedness, but he has some of the stigmata of degeneracy, which, by the way, we do not find in any large proportion of cases. His physiognomy is indicative of weakness. He has a small chin and particularly sensuous lips.

With the aid of his very intelligent and upright father we learned important facts bearing upon this case which have had no part in court records, and yet which from the standpoint of common sense should have had much to do with decisions. This boy's mother was desperately insane for years; an older brother was unstable and a criminal, but never so bad as this boy and lately is said to have reformed. Taking all this together, with the fact of the early criminal start, the case becomes quite clear. This individual in spite of good environment has developed poorly on the moral side. The fact that he has known his own weaknesses and been unable to overcome them marks him as a type. He is a victim of bad heredity. There was no chance for his upbuilding in the come and come again procedure of the courts. A short term here and probation there has inevitably led to much recidivism and he has finally wound up in an adult penal institution. His father and he have had the family facts to give and the prognosis could have been long ago made with a high grade of certainty, namely, that only very prolonged reform school care dur-

CAUSATION OF CRIMINALITY

ing all the years when boys are usually unstable offered the only possibility of developing strength of purpose which might have led to a conquering of the hereditary taint.

The third case, as representative of a class, is of special interest to psychologists and educators as well as to criminologists. The father of this boy sought us when the lad was under arrest in another state. He told us with much concern and candor of many transgressions dating back only a year or so. Up to that time the boy had been doing very well. With the exception that one grandfather had led a very irregular life, we learned of nothing in the family history that seemed to bear on the case. The home was particularly good, and indeed a new homestead had recently been purchased in a more healthful location on account of this very boy. He has been a truant and stayed away from home at nights. He has stolen several times and his reaction to punishment is nil. He has within a short time been arrested in two different states after having stolen in Chicago and ran away. "What in the world can be the matter with my boy," was the father's cry.

I found an open-faced typical American youngster—alert, bright-eyed, boyish. We discovered by tests that he was anything but mentally defective, but saw at once that he had a definite anti-social attitude, which seemed most remarkable in a boy from a decent home. When first we talked with him he insisted that we were just throwing away time trying to do anything about his case because he had made up his mind to be a bad man—he did not care what was done with him. "I'm wise to you, all right," he said. It took a number of days and several interviews to win this boy over. He became interested in the stop watch which we use in taking reaction times and in the tests. He wanted to be with us and to do them all over again. We found that he had great powers of imagination, that he liked to think about the stories of adventure he had read, and that he would put his head under the pillow at night and see visions of cowboys riding past the house and shooting off guns. Only after a number of interviews, when we always felt that he was hiding something, did he finally reveal the foundation of the criminal career which he had so definitely set out upon. It seems that about a year ago he had been at a neighbor's house in the absence of other members of his family. There a woman, who is said to have something of a grudge against them, told him that the person he had always supposed to be his mother was really only his stepmother. Of his own reaction to this he told me, "I was so sore that I got terribly red and hot. The next day she started again to tell me and I wouldn't go there any more." It seems he thought and thought of this and said nothing to anyone,

and the more he thought the more bitter he became. He could understand now why he had been asked to do more work than the younger children and he saw the reasons for all sorts of petty discriminations against him. He said absolutely nothing to anyone, but long since reached the conclusion which he tersely put to me—"My father's a liar, and she's a liar, too—they're all liars, and I don't want to go home. I can take care of myself and I'll be a bad man if I want to be."

When the father came again he was astounded, but corroborated the entire story. The real mother was killed in an accident, the infant boy first being saved by her. After a time the father married again. He thought of the disagreements that are likely to arise when a step-mother is in the household and so he carefully destroyed all evidence of his first wife's existence. His present wife is a good woman and does not discriminate against this boy.

Here then was a boy physically normal, mentally bright, of a particularly imaginative term of mind, and possessed of a sensitive spirit. His confidence and trust in the world was utterly destroyed when he found his nearest and dearest had been imposing falsehood on him. He was hurt through and through and when the bottom of things was knocked out for him he saw no reason for not raising his hand against the usages of society. Here was the beginning of a career, here was the cause for the beginning.

At the base of not a few confirmed criminal careers we have come to learn there are just such definite inward dissatisfactions and irritations of childhood and youth, and while these factors are covered up deeper and deeper as the years go by, they lie nevertheless at the roots of many an anti-social adult character. Study of these special features of the mental "Hintergrund" should and will, I hope, form a valuable chapter in the development of a better criminology.

Without attempting to enumerate the types of causation in the individual, let us ask at this point to what conclusions we are led by such close practical study. In the first place it is clear there are many causes of crime, and the particular factors at fault are by no means always obvious. Despite all theories about crime a given situation can only be efficiently met by careful practical study. Cases and causes can and should be put into general categories, but ever will be needed the careful, well-qualified diagnostician for each separate case. Parenthetically, I might state that I am inclined to attribute much of the backwardness in the development of a science of criminology to the lack of really intensive attempts on unselected cases to work from the genetic standpoint.

Secondly, we note that without such studies the most vital points of

CAUSATION OF CRIMINALITY

vantage for checking a criminal career are generally overlooked by ordinary police and court methods. Our boy, for whom constructive measures should have been undertaken—the studious, irritable fellow, sufferer from an old injury, how should anyone know about his possibilities without hours of investigation and observation? And in the instance of the other poor chap who was so badly born, how, under the ordinary processes of law even when he was in the Juvenile Court, could there be any cognizance of the facts which should have been regarded as imperative factors in the adjustment of his case? The third boy was still more difficult to understand and yet probably was the more hopeful of the three had he been understandingly treated and followed up. The practical demand of the situation is, first and foremost, adequate study of the individual.

In the next place it is certainly clear that punitive or reformatory measures are ordinarily put in operation with only the slightest prior comprehension of the actual needs of the given case. The overworked judge usually knows little of what the individual really needs in the way of discipline or treatment nor does he generally know much in detail about what the treatment itself is which he is officially prescribing. Our general system is simply that of wholesaling punitive measures, and there is a singular lack of businesslike adjustment of ends to needs.

Fourthly, in this practical work we have come at once across a most interesting fact. We find that if a young delinquent is approached from the rational standpoint of inquiry, in nearly every case he will respond with a totally different attitude from that assumed toward the police or the court, and not only he, but his family usually will, with the inquirer, regard himself as a problem to be solved and will often give information that should not be neglected if a common sense adjustment of the case is undertaken. Many a fellow with quite a career wakes up for the first time to self-consciousness and self-help from the moment that a thoroughgoing inquiry is started by your putting your hand on his shoulder and saying, "Old man, what can be wrong with you that you are getting into so much trouble? Let's try together to find out all about it." From the responses received we learn that it is extremely rare that thorough and rational explanations have been sought previously by anybody—parents or officials.

We see also that many forms of adjustment of cases may be indicated—that these may be either segregative, therapeutic, deliberately constructive, or strictly disciplinary. In all common sense the action taken should not be swayed on the one hand by the existence of a definite retributive system, nor on the other hand, by a sentimentalism which

WILLIAM HEALY

connotes coddling. The real gist of the matter will inevitably remain that despite theories and systems a most careful study of individual delinquents will be necessary in order to know what is best to do with them. The new Hungarian law with its intimate study for a week or two by several qualified persons before determination of the measures to be pursued with the young offender is a splendid start on the right road. Any objection to the time or cost of such study can be readily overruled by the provable importance of heading off a criminal career.

The present handling of the crime situation in its general aspects, I am afraid, is strikingly analogous to the old-time practice of medicine. Before much was known about causes, all that could be treated in the light of the then existing knowledge was the finished product of disease, for instance, some deformity such as humpback. The humpback, however, has been uncured with us for thousands of years. Rests and supports have been devised for him and nothing more fundamental undertaken until the discovery within the past generation of the genetic factor, namely, the growth of a bacillus causing decay of the bone. Just so with our handling of criminals—we nearly always take the finished product, a social deformity, when we should be studying and treating the disease in its earliest stages. Of course crime is no one disease and no one germ will be found eating out the moral nature, but just as much as there is cause for each physical deformity so there must be causative antecedents for each moral deformity. The truth is that there are many types of causes and the exploitation of general methods and systems of reform of "the criminal" without studying and meeting the separate causes in separate cases is much as it would be if our hospitals were used for the mere hygienic boarding and lodging of the sick—giving the individual no personal diagnosis nor correlated treatment.

Where should the start be made? The actual or potential recidivist is the offender in whom society has most interests at stake, and is the person that should be most studied by prison men. What are recidivists mentally and physically? What are their careers under the present system of handling crime? How well could their careers have been predicted if one had studied them early, and what measures might better have been undertaken to check their careers? These are the scientific and common sense points, and toward the knowledge of which intensive study must be directed. What can be actually ascertained under the artificial conditions of corrective institutions is for the future to show. Would that many were already at work on this very point.

But whatever studies are undertaken from the many standpoints that are possible it must never be forgotten that crime is conduct and that

CAUSATION OF CRIMINALITY

conduct is an attribute of mind. Whatever may be the influences which shape mentality, whether they be environmental, hereditary, physical or what not, it still remains that, when directly considered, conduct, and therefore crime, is a psychological matter. To be sure it may be urged that there have already been written various works on the so-called psychology of the criminal, but these for practical ends have proved hardly worth the name. They rarely have been based upon the study of all possible causative factors and above all they neglect the fundamental standpoint of study of psychological beginnings.

Our own case histories explicitly demonstrate not only the scientific, but also the eminently practical value of genetics. At the very beginning of the law's placing its hands on an individual it would be of tremendous worth if the predicabilities of the case were most carefully ascertained. What probably can be done by this or that method, by physical upbuilding, by introducing definite mental interests, by a short term of punishment, by a long separation from environment; is permanent segregation necessary, is there any likelihood of success outside of an institution? At this early time studies should begin—otherwise the law, singularly lacking in the powers of self-criticism, leaves out of count much which would further its own aims, namely, the protection of society.